

## **NOTICE OF SALE**

The South Dakota Department of Transportation offers the following property for sale:

Lot A in Lot 3 of Block 1 of Seger Crossing in the S1/2 NW1/4 of Section 27, Township 2 North, Range 8 East of the B.H.M., Box Elder, Pennington County, South Dakota.

Minimum Bid: \$173,600

The above property is located at the intersection of E Mall Drive and America's Way in Box Elder. Lot A contains 2.08 acres including a 0.13 acre permanent road and utility easement.

Lot A access is to East Mall Drive. Zoning is Commercial Highway Services and utilities are available.

A bid of \$217,000 purchases the property immediately. All other bids will be accepted until January 10, 2022 when the high-bid will be chosen. A purchase deposit down payment of \$10,000 must be submitted by the successful bidder with the balance to be paid within sixty days. The property will not be sold for less than the minimum bid and the State reserves the right to reject any and all bids. Final closing and conveyance will be by Quit Claim Deed.

Additional information can be obtained by viewing property sales at the website [dot.sd.gov/programs-services/programs](http://dot.sd.gov/programs-services/programs) or contact Scott Pretzer at: phone (605)773-3710; email [scott.pretzer@state.sd.us](mailto:scott.pretzer@state.sd.us).

Joel Jundt, Secretary  
South Dakota Department of Transportation




Parcel 3X

# PLAT OF LOT A IN LOT 3 OF BLOCK 1 OF SEGER CROSSING

In Lot 3 of Block 1 of Seger Crossing, Located in the S1/2NW1/4 of Section 27 - Township 2 North - Range 8 East of the B.H.M., Box Elder

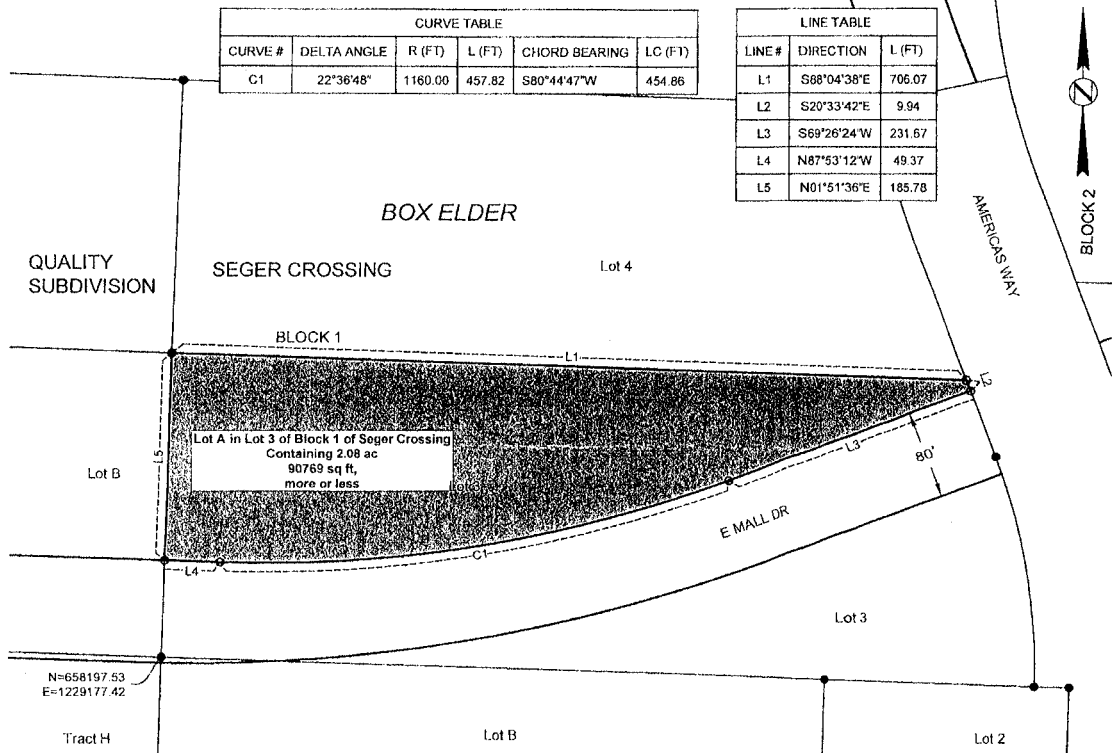
PENNINGTON COUNTY, SOUTH DAKOTA  
showing a parcel of land  
for construction of Project P00SW(04)

## LEGEND

-  ROW platted this plat
-  found corner
-  set corner

All new monumentation will be set upon project completion

Scale: 1 inch = 100 feet



CURVE TABLE				
CURVE #	DELTA ANGLE	R (FT)	L (FT)	CHORD BEARING
C1	22°36'48"	1160.00	457.82	S80°44'47"W

LINE TABLE		
LINE #	DIRECTION	L (FT)
L1	S88°04'38"E	706.07
L2	S20°33'42"E	9.94
L3	S69°26'24"W	231.67
L4	N87°53'12"W	49.37
L5	N01°51'36"E	185.78

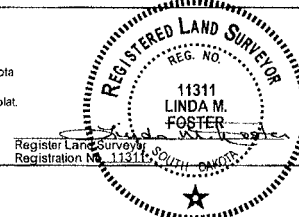
Note: The coordinates, distances, bearings, and areas shown on this plat are based on the South Dakota State Plane Coordinate System (South Zone NAD83(2011)).  
Epoch: 2010.00 Geoid 12A SF = 0.000795525

Drawn By: John Van Beek Date: 01-14-19  
Checked By: Linda Foster Date: 01-14-19

## SURVEYOR'S CERTIFICATE

I, LINDA M. FOSTER, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota Department of Transportation the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

In witness whereof, I have set my hand and seal this 14<sup>th</sup> day of January, A.D., 2019.



## OFFICE OF REGISTER OF DEEDS

State of South Dakota

County of Pennington, ss

Filed for record the 1<sup>st</sup> day of February, A.D., 2019, at 9:17 A.M. and recorded as Document Number A20901228 therein.

04A2

Register of Deeds

Deputy

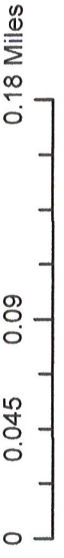
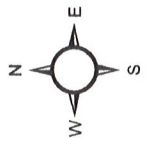


# Proposed Disposal



## Legend

-  Proposed Disposal
-  PLSS Sections







\$30.00

Pgs: 5

**A201816760**

December 14, 2018 8:24 AM

Corina M. Meyer  
Pennington County Clerk

Prepared by:  
Curtis S. Jensen  
DEMERSGEMAN JENSEN  
TELLINGUSEN & HUFFMAN, LLP  
516 5th Street, P.O. Box 1820  
Rapid City SD 57709-1820  
(605) 343-2814

CORRECTIVE  
PERMANENT PUBLIC ACCESS AND UTILITY EASEMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor, WAL-EAST DEVELOPMENT, INC., a South Dakota corporation, of 927 Main Street, Rapid City, South Dakota 57701, for itself and its successors and assigns, hereby grants and conveys a permanent access and utility easement to the CITY OF BOX ELDER, of 420 Villa Drive, Box Elder, South Dakota 57719, or any other municipality or public authority or utility providers or carriers providing or servicing water, sanitary sewer service, fiber optics, telecommunications, or other utility services and their respective contractors, subcontractors and authorized agents, as Grantees, a perpetual easement, subject to the conditions hereinafter set forth, as hereinafter described.

The property which is the subject of this permanent thirty foot (30') wide access and utility easement is that portion of the following described as shown on the attached Exhibit A:

Lot Three (3) in Block One (1) of Seger Crossing in Section Twenty-seven (27), Township Two North of Range Eight East of the Black Hills Meridian (T2N R8E BHM), Box Elder, Pennington County, South Dakota, as shown on Exhibit A attached hereto.

Such easement shall include the right of public access for streets and roads and the public use, construction, improvement and maintenance of the easement area for streets and roads and the right to enter upon and under the easement property to construct, install, operate, inspect, maintain, and repair utilities and related appurtenant utility lines and facilities upon said property.

This public access and utility easement shall be covenant running with the above described property and shall be binding upon the undersigned, as Grantor, and its



ACCEPTANCE BY CITY OF BOX ELDER

The City of Box Elder does hereby approve and accept the foregoing Permanent Public Access and Utility Easement.

DATED: 12/11 / , 2018

CITY OF BOX ELDER

By Larry G. Larson

Larry Larson, Mayor

ATTEST:

By Nicole Schneider

Nicole Schneider Chief Financial Officer

State of South Dakota,       )  
  ) ss.  
County of Pennington.       )

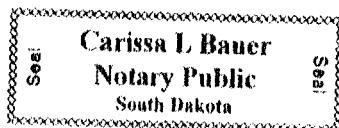
ON THIS DAY, December 11, 2018, before me, the undersigned officer, personally appeared Larry G. Larson, who acknowledged himself to be Mayor of CITY OF BOX ELDER, and that he, as such Mayor, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of CITY OF BOX ELDER by himself as Mayor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)

Carissa L. Bauer  
Notary Public

My Comm. Expires: May 19th, 2023



State of South Dakota,            )

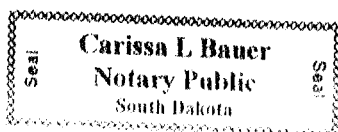
) ss.

County of Pennington. )

ON THIS DAY, December 11th, 2018, before me, the undersigned officer, personally appeared Nicole Schneider, who acknowledged herself to be Chief Financial Officer of CITY OF BOX ELDER, and that she, as such Chief Financial Officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing her name as Chief Financial Officer of CITY OF BOX ELDER.

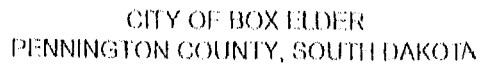
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SEAL)



Notary Public  
My Comm. Expires: May 19th, 2023

—



### LEGEND

1

1. **Project Name:** [Project Name]  
 2. **Project Number:** [Project Number]  
 3. **Project Manager:** [Project Manager]  
 4. **Project Sponsor:** [Project Sponsor]  
 5. **Project Start Date:** [Project Start Date]  
 6. **Project End Date:** [Project End Date]  
 7. **Project Budget:** [Project Budget]  
 8. **Project Status:** [Project Status]  
 9. **Project Description:** [Project Description]  
 10. **Project Objectives:** [Project Objectives]  
 11. **Project Deliverables:** [Project Deliverables]  
 12. **Project Risks:** [Project Risks]  
 13. **Project Issues:** [Project Issues]  
 14. **Project Communication:** [Project Communication]  
 15. **Project Reporting:** [Project Reporting]

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$$x \text{ soll } \Rightarrow \text{ " } x \text{ ist ein } A \text{ " } \Leftrightarrow x \in A \text{ sein. } \quad \text{ " } x \text{ ist ein } A \text{ " } \Leftrightarrow x \in A \quad \text{ " } x \text{ ist ein } A \text{ " } \Leftrightarrow x \in A \quad \text{ " } x \text{ ist ein } A \text{ " } \Leftrightarrow x \in A$$

PLASTIC CAP  
"JF BANNER ASSOC INC"  
N=058489.91  
E=1229186.26

{ol}

Lot 3

Permanent Easement  
containing  
0.13ac  
5576 sq ft  
more or less

PLASTIC CAP  
"HEAD 2199"

Tract 44

17-27-2007 14:27:27 S:\Hishab\Tahsilat\17-27-2007

THE COORDINATES, DISTANCES, AND AREAS SHOWN  
ON THIS EXHIBIT ARE BASED ON THE SOUTH DAKOTA  
STATE PLANE COORDINATE SYSTEM SOUTH ZONE  
NAD83(2011) EPOCH  
2010.00 GEOID 12A SF=0.999798595



Lot A

PROPERTY DESCRIPTION

**LOCATION:** The subject property is located at the northwest corner of the intersection of East Mall Drive and Americas Way.

**TAXES & ASSESSMENTS:** ASSESSED VALUE: Exempt YEAR:            TAXES:            YEAR:           

**ZONING:** Highway Services District of Box Elder City. According to **Box Elder Zoning Ordinance:**

**Permitted uses** include all those allowed for General Commercial District, in addition to several other uses including: garden centers, service stations, auto sales, lumber yards, storage units, temporary or transient businesses, retail outlets, outdoor recreational, factor built home sales and adult oriented businesses.

**Setbacks:**

Front yard: The minimum front yard setback shall be no less than 35 feet from the front property line.

Side yard: The minimum side yard setback shall be no less than 15 feet unless the property abuts a residential area, then the minimum setback will not be less than 25 feet. When abutting a street, the minimum is no less than 30 feet.

Rear Yard: The minimum set back is no less than 20 feet.

**Access:** Driveway access is currently available at the southwest corner of the subject property. New access points must be constructed at least 150 lineal feet away from the intersection of Americas Way and East Mall Drive.

**UTILITIES:** Utilities observed on or near the subject property were fiberoptics, water and power.

**TOPOGRAPHY AND SOILS:** The acreage comprising the majority of the subject (89%) consists of the Class IV Kyle Clays and the Class III Nunn loams. These soils have a rating of SOMEWHAT to VERY LIMITED for small commercial buildings due to shrink-swell capacity. However, as evidenced by development in the area on similar soils, these limitations can be managed. The property is outside of the AE Flood Zone. City sewer is available to the subject.

**SPECIAL FEATURES:** The East Mall Drive roadway was constructed considerably above grade therefore a larger slope exists on the south perimeter of the property along the roadway, decreasing grade southwest to northeast. Due to setback requirements, this grade should not affect the development of the subject. A 0.13 ac access easement is located on the west side of the subject.

**LAND USE:** Commercial-unimproved.

**NEIGHBORHOOD:** The majority of the subject property's immediate neighborhood is comprised of both unimproved and improved highway commercial properties due to the near vicinity of the Interstate 90 Exit 61 interchange to the southwest.

**IMPROVEMENTS:** No structures were located on the property.

**OTHER INFORMATION:** N/A